ODE STANDARD CORE ASSURANCES

The parties referred to in this document are all Federal agencies, including but not limited to the United States Department of Education, the United States Department of Agriculture, the United State Department of Health and Human Services and the United States Department of Labor, all herein referred to as the "DEPARTMENT," and the Ohio Department of Education, herein referred to as the "ODE," and the local educational agency, herein referred to as the "SUBGRANTEE." ODE may make funds available to the SUBGRANTEE for programs operated by the SUBGRANTEE in accordance with requirements and regulations applicable to such programs. Consistent with 34 C.F.R. Sections 74-85, the SUBGRANTEE assures, if awarded a grant, subgrant, or contract:

1. That the SUBGRANTEE will accept funds in accordance with applicable Federal and State statutes, regulations, program plans, and applications, and administer the programs in compliance with all provisions of such statutes, regulations, applications, policies and amendments thereto.

2. That the control of funds provided to the SUBGRANTEE under each program and title to property acquired with those funds will be in a designated eligible recipient and that a designated eligible recipient will administer those funds and property.

3. That the SUBGRANTEE has the necessary legal authority to apply for and receive the proposed grant or subgrant and enter into the contract.

4. That the SUBGRANTEE will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996, OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organization" and Ohio Revised Code Section 117.11 utilizing generally accepted accounting principles (GAAP). That the SUBGRANTEE will furthermore utilize competitive bidding practices in compliance with applicable procurement regulations.

5. That the SUBGRANTEE will make reports to ODE and to the DEPARTMENT as may reasonably be necessary to enable ODE and DEPARTMENT to perform their duties. The reports shall be completed and submitted in accordance with the standards and procedures designated by ODE and/or the DEPARTMENT and shall be supported by appropriate documentation.

6. That the SUBGRANTEE will maintain records, including the records required under Section 437 of the General Education Provisions Act ("GEPA"), 20 U.S.C. § 1221, and provide access to those records as ODE or the DEPARTMENT and the Comptroller General or any of their authorized representatives in the conduct of audits authorized by Federal Law or State Statute. This cooperation includes access without unreasonable restrictions to its records and personnel for the purpose of obtaining relevant information.

7. That the SUBGRANTEE will provide reasonable opportunities for participation by teachers, parents, and other interested agencies, organizations and individuals in the planning for and operation of each program, as may be necessary according to statute.

8. That any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and to other members of the general public.

9. That in the case of any project involving construction, the project is not inconsistent with overall State plans for the construction of school facilities, if applicable; and in developing plans for construction, due consideration will be given to excellence of architecture and design and to

compliance with standards prescribed under Section 504 of the Rehabilitation Act of 1973, in order to ensure that facilities constructed with Federal (which become subsequently State) funds are accessible to and usable by handicapped individuals.

10. That the SUBGRANTEE has adopted effective procedures for:

    A. Acquiring and disseminating to teachers and administrators participating in each program, significant information resulting from educational research, demonstration and similar projects; and
    B. Adopting, if appropriate, promising educational practices developed through those projects.

11. That no person shall, on the ground of race, color, national origin, handicap, or sex be excluded from participation, be denied the benefits, or be otherwise subjected to discrimination under any program or activity for which the SUBGRANTEE receives Federal financial assistance. Admissions policies for private schools are understood and agreed to be part of such programs. In this vein, the SUBGRANTEE agrees to assure compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et seq.*); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681-1683); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794); the Age Discrimination Act (42 U.S.C. § 6101 *et seq.*); and the Americans with Disabilities Act ("ADA") (42 U.S.C. § 12101 *et seq.*).

12. That the SUBGRANTEE may not use its Federal or State funding to pay for any of the following:

    A. Religious worship, instruction, or proselytization.
    B. Equipment or supplies to be used for any of the activities specified in paragraph 12A, herein.
    C. Construction, remodeling, repair, operation or maintenance of any facility or part of a facility to be used for any of the activities specified in paragraph 12A, herein.
    D. An activity of a school or department of divinity. A school or department of divinity is defined in 34 CFR 76.532(b).

13. That no Federal funding may be used for the acquisition of real property unless specifically permitted by the authorizing statute or implementing regulations for the program.

14. That the SUBGRANTEE may not count tuition and fees collected from students toward meeting matching, cost sharing or maintenance of effort requirements of a program.

15. That the SUBGRANTEE shall, to the extent possible, coordinate each of its projects with other activities that are in the same geographic area served by the project and that serves similar purposes and target groups.

16. That the SUBGRANTEE shall continue its coordination with ODE during the length of the project period.

17. The SUBGRANTEE shall cooperate in any evaluation by the DEPARTMENT.

18. That if a program so requires, provisions shall be made for the participation of children enrolled in private schools in the area to be served. Such provision shall:

A. Provide private school students with a genuine opportunity for equitable participation.
B. Provide an opportunity to participate in a manner that is consistent with the number of eligible private school students and their needs.
C. Maintain continuing administrative direction and control over funds and property that benefit students enrolled in private schools.
D. Comply with the requirements of 34 C.F.R. 76.652 through 76.662.

19. That no provision of any law shall be construed to authorize the consolidation of any applicable program with any other program, such as the commingling of funds derived from one appropriation with those derived from another appropriation, except as specifically prescribed by statute.

20. That funds will be used to supplement and not supplant State and local funds expended for educational purposes and, to the extent practicable, increase the fiscal effort that would, in the absence of such funds, be made by the SUBGRANTEE for educational purposes.

21. That the SUBGRANTEE will comply with all relevant laws relating to privacy and protection of individual rights including 34 C.F.R. Part 99 (Family Educational Rights and Privacy Act of 1974).

22. That the SUBGRANTEE will comply with any applicable federal, state and local health or safety requirements that apply to the facilities used for a project.

23. That it shall maintain records for 5 years following completion of the activities for which the SUBGRANTEE uses the federal or state funding and which show:

A. The amount of funds under the subgrant or grant.
B. How the SUBGRANTEE uses the funds.
C. The total cost of the project.
D. The share of that total cost provided from other sources.

24. If real property or structures are provided or improved with the aid of Federal financial assistance, the SUBGRANTEE will comply with applicable statutes, regulations and the project application in the use, encumbrance, transfer or sale of such property or structure. If personal property is so provided, the SUBGRANTEE will comply with applicable statutes, regulations and the project application in the use, encumbrance, transfer, disposal and sale of such property.

25. That in the event of a sustained audit exception, and upon demand of ODE, the SUBGRANTEE shall immediately reimburse ODE for that portion of the audit exception attributable under the audit to the SUBGRANTEE. The SUBGRANTEE agrees to hold ODE harmless for any audit exception arising from the SUBGRANTEE's failure to comply with applicable regulations.

26. That the SUBGRANTEE is aware all Federal and state funds granted to it are conditioned upon the availability and appropriation of such funds by the United States Congress and the Ohio General Assembly. These funds are subject to reduction or elimination by the United States Congress or Ohio General Assembly at any time, even following award and disbursement of funds. Except as otherwise provided by law, the SUBGRANTEE shall hold ODE harmless for any reduction or elimination of Federal or state funds granted to it. In the event of non-

appropriation or reduction of appropriation and notice, the SUBGRANTEE shall immediately cease further expenditures under any Federal or state project.

27. The SUBGRANTEE will adopt and use the proper methods of administering the subgrants, including, but not limited to:

    A. The enforcement of any obligations imposed by law.
    B. The correction of deficiencies in program operations that are identified through program audits, monitoring or evaluation.
    C. The adoption of written procedures for the receipt and resolution of complaints alleging violations of law in the administration of such programs.

28. The SUBGRANTEE will comply with the Safe and Drug Free Schools Act (as amended) and the Pro-Children Act of 1994 (as amended).

29. Personnel employed as teachers and instructional aides by the SUBGRANTEE or personnel contracted to provide such service to the SUBGRANTEE shall be certified as required by Ohio Revised Code Section 3319.22, 3319.30 and 3319.088.

30. The SUBGRANTEE, by submission of a grant proposal, agrees that the DEPARTMENT or ODE have the authority to take administrative sanctions, including, but not limited to, suspension of cash payments for the project, suspension of program operations and/or, termination of project operations, as necessary to ensure compliance with applicable laws, regulations and assurances for any project. The SUBGRANTEE acknowledges this authority under 34 CFR 80.43, 34 CFR 74.62 and Ohio Revised Code Section 3301.07 (C), as applicable.

31. For the construction of facilities with Federal funds, the SUBGRANTEE will comply with the provisions of the Davis-Bacon Act.

32. When funded on an advance basis by ODE, the SUBGRANTEE agrees to minimize the time between the transfer of funds and the disbursement by the local entity in accordance with the Cash Management Improvement Act (31 CFR part 205). Additionally, the SUBGRANTEE agrees to maintain cash balances which meet their immediate cash needs only. Any interest earnings by the SUBGRANTEE will require repayment in accordance with OMB Circular A-102 §__.21 (i) or OMB Circular A-110 §__.22 (l), as applicable.

33. In the purchase of equipment and supplies, the SUBGRANTEE will comply with local, state and Federal procurement policies. In addition, equipment and supplies purchased for use in a Federal or state program will comply with the provisions of OMB Circular A-102 or OMB Circular A-110, as applicable, and any individual program regulations.

34. The SUBGRANTEE will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

35. That the SUBGRANTEE will acquire, use, maintain and dispose of equipment purchased for the approved project in accordance with 34 CFR 80.32.

36. That the SUBGRANTEE will have effective financial management systems which conform to the standards present in 34 CFR 80.20, which includes, but is not limited to, the ability to report

financial data verifying compliance with program regulations and maintaining effective internal control over the operations of the approved grant.

37. That the SUBGRANTEE will conform all activities conducted under the approved grant to the provisions contained within OMB Circular A-87, A-21 and/or A-122, as applicable.

38. That the SUBGRANTEE will obligate funds within the approved project period as set forth in the approved application and will liquidate said obligations not later than 90 days after the end of the project period for grants applied for electronically and 60 days after the end of the project period for grants applied for using paper applications. For purposes of approved projects, obligations have the same meaning as contained in 34 CFR 76.707.

39. That the SUBGRANTEE will not subgrant the approved project to another entity without the express written consent of ODE.

This assurance is given in consideration of and for the purpose of obtaining any and all grants, loans, contracts, property, discounts or other financial assistance extended after the date hereof to the SUBGRANTEE by the DEPARTMENT, through ODE, including installment payments, after such date on account of applications for financial assistance which were approved before such date. The SUBGRANTEE recognizes and agrees that such financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States and the State of Ohio, individually or jointly, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the SUBGRANTEE, its successors, transferees and assigns. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the SUBGRANTEE.

Superintendent/CEO	Date	Treasurer/CFO	Date
Printed Name		Printed Name	

Certification Regarding Lobbying; Debarment, Suspension, Ineligibility and Voluntary Exclusion; and Drug-Free Workplace Lower Tier Covered Transactions

This certifies compliance with requirements regarding Lobbying; Debarment, Suspension, Ineligibility and Voluntary Exclusion; and, Drug-Free Workplace, as prescribed in 34 C.F.R. Part 82 and Part 85, and 7 C.F.R. Part 3017, and the required regulations implementing Executive Order 12549. Copies of these regulations may be obtained by contacting the Office of Federal and State Grants Management.

REQUIREMENTS FOR CERTIFICATION

This certification is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the participant or prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. By signing and submitting this statement, it is understood that the participants and prospective lower tier participant has done so in accordance with the following:

LOBBYING:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the above signed, to any person for influencing or attempting to influence an officer of employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer/or employee of Congress, or an employee of a Member of Congress in connection with a Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subgrantees shall certify and disclose accordingly.

(d) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

(a) The prospective lower tier participant shall provide immediate written notice to the person to whom this statement is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(b) The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntary excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the Office of Federal and State Grants Management for assistance in obtaining a copy of those regulations.

(c) The prospective lower tier participant agrees by submitting this statement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency from which this transaction originated.

(d) The prospective lower tier participant further agrees, by submitting this statement, that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

(e) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non procurement List.

(f) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealing.

(g) Except for transactions authorized under paragraph (e) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency from which this transaction originated may, in addition to other remedies available, pursue suspension and/or debarment.

DRUG-FREE WORKPLACE (Grantee other than Individuals)

As required by the Drug-Free Workplace Act of 1988, and subsequent regulations, the applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

(b) Establishing an on-going drug-free awareness program to inform employees about the dangers of drug abuse; grantee's policy of maintaining a drug-free workplace; any available drug counseling, rehabilitation, and employee assistance programs; and, the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a).

(d) Notify the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will abide by the terms of the statement; and, notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under paragraph (d) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, SW, Room 3124, Washington, D.C. 20202.

CERTIFICATION

(1) All fund participants must certify, by submission of this statement, that project funds will not, in any way, be used for the purpose of Lobbying or other wise influencing decisions supporting the granting of funds administered by the Ohio Department of Education (ODE).

(2) The prospective lower tier participant certifies, by submission of this statement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(3) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this statement.

(4) Furthermore, that subgrantees receiving ODE administered funds will provide a drug-free workplace.

_____	_____	_____	_____
Superintendent/CEO	Date	Treasurer/CFO	Date
_____		_____	
Printed Name		Printed Name	